

HON. ROBERT S. LASNIK

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

KARLENE K. PETITT,

Plaintiff,

v.

AIR LINE PILOTS ASSOCIATION,

Defendant.

CASE NO. 20-cv-1093-RSL

**STIPULATED MOTION AND  
ORDER TO SET BRIEFING  
SCHEDULE AND MODIFY  
SCHEDULING ORDER**

Plaintiff Karlene Petitt and Defendant Air Line Pilots Association (“ALPA”) (collectively, the “Parties”) hereby respectfully move to establish a briefing schedule for ALPA’s upcoming Motion to Dismiss the Amended Complaint and to modify the Court’s Order of September 10, 2020 (Dkt. 11) (“Scheduling Order”). The basis for this request, and the requested modifications, are as follows.

1. This case concerns Plaintiff’s claim that ALPA breached its duty of fair representation to her. Plaintiff filed her Complaint on July 13, 2020 and filed an Amended Complaint on August 10, 2020. ALPA agreed to waive service of a summons and complaint, and ALPA’s response to the Amended Complaint is due on October 5, 2020.

2. Plaintiff is proceeding *pro se* in this case. She is a pilot for Delta Airlines, Inc. and represents that she currently is in transition training to a new aircraft that will conclude in approximately late October 2020. Plaintiff further represents that it will be extremely difficult for

1 her to actively participate in this litigation for the next six weeks due to the demands of that  
2 training.

3 3. ALPA is planning to file a Motion to Dismiss Plaintiff's Amended Complaint. The  
4 Parties agree that it would be inefficient and unproductive for them to proceed with initial  
5 disclosures, discovery, and discovery-related conferences in this litigation in the event that the  
6 Motion to Dismiss is granted.

7 4. The Scheduling Order sets the following deadlines: Rule 26(f) Conference by September  
8 24, 2020; Initial Disclosures pursuant to Rule 26(a)(1) on October 1, 2020; and Combined Joint  
9 Status Report and Discovery Plan Required by Rules 26(f) and Local Rule 26(f) by October 8,  
10 2020.

11 5. In these circumstances, the Parties believe that postponing the foregoing conference,  
12 report, and initial disclosures until after the resolution of ALPA's motion to dismiss will most  
13 efficiently advance this litigation while minimizing costs and burdens on them. *See* Introduction  
14 to Civil Rules of United States District Court for the Western District of Washington, at 1  
15 (directing parties to consider "limiting discovery and phasing discovery and motions to bring on  
16 for early resolution potentially dispositive issues"). Accordingly, the Parties respectfully request  
17 that the Court order as follows: (a) the deadline for ALPA's Motion to Dismiss be October 5,  
18 2020; (b) the deadline for Plaintiff's Opposition to ALPA's Motion to Dismiss be November 16,  
19 2020; (c) the deadline for ALPA's Reply in support of its Motion to Dismiss be December 2,  
20 2020; (d) all deadlines for the Rule 26(f) conferences and reports and Rule 26(a)(1) initial  
21 disclosures be vacated; and (e) the parties be directed to confer concerning the schedule for this  
22 case within 14 days of the issuance of the Court's ruling on ALPA's Motion to Dismiss and to  
23 file a proposed, revised scheduling motion/report to the Court within seven days thereafter.

24 6. All of the Parties' new proposed deadlines and orders are set forth in the accompanying  
25 proposed order.

1 RESPECTFULLY SUBMITTED this 22nd day of September 2020.

2  
3 /s/ Karlene Petitt

4 Karlene Petitt  
5 Plaintiff, Pro Se

/s/ Dmitri Iglitzin

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17 *Attorneys for Defendant Air Line Pilots Association*

**ORDER**

Based upon the above stipulation of the parties, and for good cause shown by the parties, the Court hereby amends the Scheduling Order (Dkt. 11) as follows:

- |     |                                                                            |                                      |
|-----|----------------------------------------------------------------------------|--------------------------------------|
| (a) | Deadline for Defendant's Motion to Dismiss                                 | October 5, 2020                      |
| (b) | Deadline for Plaintiff's Opposition to Defendant's Motion to Dismiss       | November 16, 2020                    |
| (c) | Deadline for Defendant's Reply Motion Noted on the Court's Motion Calendar | December 2, 2020<br>December 4, 2020 |

(d) All deadlines for the Rule 26(f) conferences and reports and Rule 26(a)(1) initial disclosures are hereby vacated; and

(e) The parties are directed to confer concerning the schedule for this case within 14 days of the issuance of the Court's ruling on Defendant's Motion to Dismiss and to file a proposed, revised scheduling motion/report to the Court within seven days thereafter.

Dated this 24th day of September, 2020.



HON. ROBERT S. LASNIK